IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 1139 of 2003

HON'BLE MR.JUSTICE K.S.JHAVERI

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

JASHWANTBHAI AMULAKHBHAI SHAH

Versus

STATE OF GUJARAT

Appearance:

MR NS SHETH for Petitioner No. 1

MR PD BHATE, AGP for Respondent No. 1-3

CORAM : HON'BLE MR.JUSTICE K.S.JHAVERI

Date of decision: 03/09/2004

ORAL JUDGEMENT

1.0 The prayer in the present petition is to direct the respondents to grant stepping up in the pay of the petitioner in consonance with the pay which was granted to Shri K.K. Kadia, who is junior to the petitioner.

2.0 The grievance of the petitioner is that his junior Shri K.K. Kadia was granted higher pay-scale, but the same was not granted to the petitioner. The petitioner has, therefore, made a representation dated 14.8.2002 to the respondents to grant him stepping up.

The said representation is not considered by the respondents till this date.

3.0 Mr. Sheth for the petitioner pointed out that in a similar case in Special Civil Application No.8598/95 this Court passed an order on 14.8.2001 directing the respondents to decide the case of the said petitioner regarding refixation of pay scale on the basis of the Government resolution and circulars within a period of three months from the date or presentation of the copy of the said judgement or receipt of writ from this Court.

4.0 Looking to the facts and circumstances of the case, I am of the view that interest of justice would be met if the following direction is issued:

> "The respondent authorities are directed to consider and decide the representation of the petitioner dated 14th August 2002 in view of the fact that the junior to the petitioner was granted higher pay-scale, within a period of two months from the date of receipt of writ of this order."

5.0 With the aforesaid direction the petition is disposed of. Rule is discharged with no order as to costs.

[K.S. JHAVERI, J.]
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